MUNICIPAL ADVISORY COUNCIL (MAC) Of San Bernardino County



HANDBOOK

"Community Insight for the Future of San Bernardino County"

INTRODUCTION

Thank you for volunteering your time and energy representing your community as a member of the Municipal Advisory Council (MAC). The Board of Supervisors (BOS) strongly encourages and appreciates the input given by the MACs. The MAC Handbook was created to help you understand the purpose of the MAC, your role as a MAC member, and how to go about getting the information you need to make responsive recommendations. Your participation is important and we hope you enjoy being a key participant helping to enhance San Bernardino County's future.

PURPOSE OF THE MAC

Municipal Advisory Councils were created to provide a consistent and inviting community forum, for the public to hear about and give comments on a number of local and countywide topics. County officials, staff, and other non-county agency staff continually use MAC meetings as an opportunity to provide the public with information or updates.

The Board of Supervisors appoints citizens to sit on the council, who have a heartfelt interest in their community.

WHAT IS AN ADVISORY COUNCIL?

While the concerns, insight, and discussions relayed by the MAC are key components in the deliberative process, Council Members do not make or set policies, ordinances or laws and are not in a position to interpret the county zoning ordinance, the county general plan or local community plan. Advisory councils provide recommendations on a variety of topics. Members are tasked with gathering input, making recommendations based on that information and relaying it to the appropriate decision-making body, such as the Board of Supervisors.

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ESTABLISHING ORDINANCE

The establishing ordinance adopted by the Board of Supervisors, for each of the Councils include the following information (copy to be provided):

- ➤ <u>Boundaries</u>: the MAC boundaries as stated in Exhibit A of the ordinance as it may vary from time to time.
- ▶ <u>Duties</u>: The Council shall advise the Board of Supervisors on all matters specifically referred to it by the Board of Supervisors and authorized by Government Code Section 31010, which may include, but shall not be limited to, matters of public health, safety, welfare, public works and planning. The Council shall also serve as the advisory body to the Board of Supervisors when the Board is acting in its capacity as governing body of the stated area, i.e., Bloomington, Muscoy or North Rialto.
- ➤ <u>Composition</u>: The number of members, for each Council, is stated within each ordinance.
- ➤ Qualifications for Membership: Members shall be residents within the MAC boundaries and registered to vote at a residence within the boundaries of the Council. Each appointment shall be by a majority of the Board of Supervisors, and all members shall serve at the pleasure of the Board of Supervisors.
- Appointment of Members: Appointments shall be for a term of four years, commencing on January 7 and terminating on January 6 of the appropriate following year. Said terms shall be staggered so that no more than five (5) of the terms (Three for Muscoy; 2/3 for North Rialto)
 - of the total number of members of the Council shall expire in any one-year period
- Organization: The Council shall annually select its own Chairman and Vice Chairman.
- ➤ Expenses: Expenses may be reimburses in accordance with the Special Districts Standard Practice manual when individuals are acting in the capacity of Council Member.
- Procedural Rules: The Council shall adopt rules, regulations and procedures as are reasonable and appropriate for its activity, as are specifically approved by the Board of Supervisors. In absence of procedures to the contrary, Robert's Rules of Order_shall govern the council.
- Records: MAC minutes and agendas are kept at the Board of Supervisors' office

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RESPONSIBILITY OF THE MAC

The responsibility of the MAC is to encourage and gather public comment on a range of topics, which may affect the community. Once the MAC has reviewed a topic and gathered public comments, an advisory recommendation may be relayed to the Board of Supervisors through the assigned Field Representative. The MAC's input is a valuable component of information the Board and other decision-making bodies consider in their deliberative process.

RESPONSIBILITIES OF THE CHAIR

Being the Chair of the MAC is an important role. Not only are you responsible for conducting the meeting, you are tasked with creating an agenda that is both accurate and timely. By coordinating with the MAC secretary and the Field Representative, your meetings will be inviting and successful. The following is a list of responsibilities:

- □ All correspondence should be directed to the Secretary. Council Chairs need to make arrangements to contact Secretary to pick up any correspondence. If unable to get the mail, please advise the Secretary.
- Each month, review and decide which items need to be on the MAC agenda. There are several sources of information for creating an agenda
- □ The Chair is responsible for deciding whether or not there are issues the MAC needs to discuss. If the Chair is unsure, the Field Representative can assist in that decision.
- Coordinate and approve the final format of the agenda so the MAC secretary can mail it out no later than one week prior to the meeting (in compliance with the Brown Act).
- Arrange for Vice Chairman to chair the meeting if you are unable to attend.
- □ After a meeting, assist the secretary in drafting any recommendation letters.
- □ The Chairman signs all MAC approved recommendation letters. In the absence of the Chairman, the Vice Chairman may sign.
- On the first MAC agenda of the year, include "Selection of the Chairman and Vice Chairman". This should be done annually.

Each MAC Chair and MAC secretary should coordinate mutually convenient processes to handle MAC business and agenda creation.

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RESPONSIBILITIES OF THE VICE CHAIRMAN

Act in the absence of Chairman, with the same duties and responsibilities as stated in the previous section.

RESPONSIBILITIES OF THE SECRETARY

The MAC secretary will be provided by the Board of Supervisors' office. Responsibilities of the secretary include:

- Attend scheduled MAC meetings to take and transcribe summary minutes.
 (*Please note The meeting is not taped nor are the minutes transcribed verbatim)
- □ Sign and send copy of approved minutes to the Board of Supervisors' office.
- Contact MAC Chair and assist in preparing draft agenda.
- □ Call or email the project applicants to notify them of when their project is on the agenda.
- □ Two weeks prior to an upcoming meeting email the draft agenda to the Field Representative to review. If you do not use e-mail, please call and review the agenda verbally with the District Field Representative. This is a necessary step to ensure the agenda is accurate.
- □ At the direction of the MAC Chair, prepare the final agenda and mail no later than one week prior to the meeting.
- □ Send copies of the agenda, draft minutes and other related information to the MAC members.
- Send copies of the agenda to everyone who is on the MAC mailing list.
- □ Post the MAC agenda in designated public places as soon as possible after the agenda is finalized (*note posting 72 hours prior to the meeting is a Brown Act requirement)
- □ Maintain the MAC mailing list.
- Make additional copies of the agendas and have them available for the public at MAC meetings.
- □ Canceled meetings send everyone on the MAC mailing list a cancellation notice and post the notice in the usual public places.
- □ Within a week after a meeting, transcribe and mail MAC correspondence as directed by the MAC Chair. Secretaries are NOT responsible for drafting or creating recommendation letters.
- Maintain records of MAC agendas, approved minutes and correspondence.
- □ Bring MAC materials such as member name-cards, maps, and other regularly used MAC materials, to each meeting.

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- □ If unable to attend a meeting or complete routine MAC tasks, contact the Field Representative as soon as possible.
- □ The Board office retains the official MAC minutes. Refer all public requests for copies of approved minutes or MAC correspondence to the Board office.

RESPONSIBILITIES OF THE FIELD REPRESENTATIVE (Your County Contact)

The Field Representative can assist and provide support to the Municipal Advisory Councils that fall within the Supervisorial District to which they are assigned. The Field Representative assigned to your MAC is <u>responsible</u> for the following:

- Assists in the creation of the agenda and reviews the draft agenda for accuracy.
- □ Attends MAC meetings; prepares updates and arranges for county staff to attend when necessary.
- Prepares responses to inquiries made during public comment.
- Prepares responses of requests from MAC members.
- □ Arranges for meetings that may have a large turnout (new location, chairs, tables, audio equipment, refreshments etc.)
- □ If secretary is not available, Field Representative takes and transcribes minutes.

Notably, to support and assist the Municipal Advisory Councils, the Board of Supervisors has staffed the office with three (3) Field Representative positions. The staff person assigned to your MAC is the direct link to your County Supervisor, other County resources and is here to help you.

COUNCIL MEMBER TERM LIMITS

Appointments shall be for a term of four years, commencing on January 7 and terminating on January 6 of the appropriate following year. Said terms shall be staggered so that no more than five (5) of the terms (Three for Muscoy; 2/3 for North Rialto) of the total number of members of the Council shall expire in any one-year period. MAC members serve at the pleasure of the Board of Supervisors and can be removed from office by a majority vote of the Board at any time.

APPLICATIONS, VACANCIES, APPOINTMENTS, RE-APPOINTMENTS AND RESIGNATIONS

<u>Applications</u> - Any member of the community who lives or works in the unincorporated area of the County and who wishes to serve on Municipal Advisory Council must fill out an application and submit it to the Clerk of the Board's office. All applications of persons not appointed to the MAC are kept on file for 2 years. Applications of persons appointed to a MAC are appointed until their term expires.

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<u>Vacancies, Appointments</u> - A full council is ideal but in some instances there may be a vacancy. The Clerk of the Board's office maintains a database of information regarding each MAC member and their term expiration date. If a member chooses not to be re-appointed or if a member resigns prior to term expiration the seat must be posted as vacant prior to appointing a new member. The process of filling a vacancy is:

- 1. The Board of Supervisors at a regularly scheduled Board meeting accepts the resignation letter or vacancy.
- 2. A Notice of Vacancy for the MAC is posted on the Board Agenda for approval.
- 3. The Notice of Vacancy is posted a minimum of 10 days.
- 4. After the 10-day posting period, all applications currently received or on file are considered by the District Supervisor.
- 5. The District Supervisor selects an applicant and the name is put on the next Board of Supervisors' agenda.
- 6. The Board of Supervisors approves the appointment of the new MAC member.

<u>Re-appointments</u> - When a Council member's term is close to ending, the District Field Representative will advise the County Supervisor. The County Supervisor may choose to re-appoint the incumbent member or appoint a new one. If the member is re-appointed, the re-appointment is placed on an upcoming Board agenda for approval under consent items. Should the County Supervisor choose to appoint a new member, steps 2 – 6 under vacancies would occur.

<u>Resignation Letters</u> If a MAC member chooses to resign his/her position on the MAC, a written letter of resignation needs to be sent to: Clerk of the Board's with a copy to the Supervisor's office at 385 North Arrowhead Avenue, Second Floor, San Bernardino, CA 92415-0130.

CREATING AN AGENDA

There are many ways to create an agenda such as, input from MAC members, information from the Current Project listings, and requests from project applicants or county staff. Ultimately, the Chair decides which items are placed on the agenda however; input from others is always helpful.

Agendas must be consistent to promote a timely and productive meeting. The agenda must have enough information about each agenda item so a member of the public, who may never have attended a Council meeting before, will have a good idea of what will be discussed and what action the Council is being requested to take.

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The Brown Act requires that the Council not take action on any item not listed on the agenda or as an information item.

Information Required on the Agenda

The following guidelines are recommended:

- **Date, time**, and **location** of the MAC meeting, including the street address.
- □ Time limits and list these on the agenda It is helpful for the Chair to set time limits for agenda items. This helps assure all presenters receive a hearing before the hour grows too late. Depending on the length of the agenda, suggested times might be 10 minutes for a project applicant's presentation, 5 minutes for a county staff response, and 15 minutes for MAC member and public questions and discussion. These time limits should be listed on the agenda to help with the flow of the meeting.
- □ Pledge of Allegiance.
- □ Call to order and introduction of MAC Members. While you may have a core group of the public who attend every meeting, it is still a good idea to for each member of the MAC to introduce him or her.
- □ Approval of Agenda. The agenda must be approved prior to discussion. You may delete an item from the agenda, however; keep in mind that there may be audience members who've come to the meeting to hear that particular item. The Chair should ask the audience if there is any one who has attended to hear the item you have chosen to delete from your agenda; the secretary can get their name and address and send them an agenda when that item is back on.
- Approval of Minutes. MAC members should review the draft minutes prior to attending the meeting. The MAC secretary is responsible for transcribing summary minutes. These minutes are not verbatim. Copies of approved minutes are available upon request at the Board of Supervisors' office at 385 North Arrowhead Avenue, Fifth Floor, and San Bernardino California 92415-0110.

Public Comment Section.

The Brown Act requires this section of the agenda. The MAC may listen, however; no action can be taken on items brought up during the Public Comment section of the agenda. This is a time for the public to discuss any item NOT listed on the agenda.

- ❖ Public comments are essential in making responsible recommendations on issues. You represent your community. You are their voice.
- □ **Public Safety Reports.** (optional) Having appropriate departments give updates on recent happenings in law enforcement, code enforcement, public works or fire is always a favorite. The community is appreciative and is able relay concerns or questions regarding community safety. The MACs are encouraged

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to invite department representatives.

- Information / Non-Action Items Any topic listed should include as much information as possible regarding the project, program, issue, where the item is in the planning process (if applicable) and the presenter's name. Items listed under this section do not require any action from the MAC. The item is for information only so that the public and MAC are aware of the issue. Information items allow the MAC to review an issue/project and make verbal suggestions to the appropriate party (i.e.: developer, county staff) BEFORE that issue/project is brought back as an action item for the MAC's possible recommendation.
- Action Items. Action items allow the MAC to make a recommendation on an issue/project after they have reviewed the facts and gathered input from the community. There are quite a few planning, land use, and county-related items that must be heard by the MAC, however; a MAC cannot impede the project's scheduled timeline within the planning process. The appropriate MAC should review all projects that are to be heard by the Planning Commission or Board of Supervisors. The MAC can review other projects as they see fit including items going to the Zoning Administrator.
 - ❖ Action Items listed on the agenda should have a detailed project description, name of the project, its physical location, a brief description of the project, the name of the project applicant, and the name of the presenter. Additionally, it should be noted what action the MAC is being requested to take. For example, "The MAC may make a recommendation on the location and size of project "The MAC may make a recommendation on the design, lighting and signage of the building".
- <u>Sub-Committee Reports.</u> (optional) Some MACs have found it useful to establish standing subcommittees on areas of local interest. Examples might include traffic, transportation, public safety, parks & recreation, education and schools, land use, and fire protection. Such subcommittees usually have a MAC member as chair and may add other members of the community who wish to participate. The committee chair usually provides a brief report at each meeting.
 - ❖ A MAC also may decide to establish ad hoc subcommittees/task force to address short-term issues of local interest, such as the possible formation of a local recreation district or construction of a local facility like a park or a community pool. At least one MAC member must sit on the subcommittee, with other members of the community who may wish to participate. Such committees also provide regular reports to the MAC.
 - ❖ Standing or ad hoc subcommittees can meet as needed. So as not to violate Brown Act requirements, the number of MAC members serving on the subcommittee must not reach a quorum.
- Community Reports. (optional) you can invite local organizations to update the MAC on community events. If they regularly appear at MAC meetings, listing them on the agenda allows them a specific time to speak. The local Chamber of

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Commerce, Cemetery Districts, Family Resource Center, local high school, Trail Alliance and Safety Club Ambulance Service are a few examples. Not all MACs partake in having a specified section for these reports due to the length of their meetings. These organizations are always welcome to speak during public comment.

- □ <u>Field Representative Report..</u> Each County Supervisor has a Field Representative that attends MAC meetings within the district and they are able to give updates under this section of the agenda.
- Adjournment. Indicate the date of the next meeting
- Noticing. Americans With Disabilities Act Legislation has recently been amended regarding the Americans with Disabilities Act (ADA) requirements be placed on notices and agenda materials. The following paragraph MUST appear on every MAC agenda:
 - ❖ San Bernardino County is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you require disability-related modifications or accommodations, including auxiliary aid or services, please contact the Board of Supervisors' office.

REQUESTS FROM COUNTY DEPARTMENTS, APPLICANTS, CITIZENS AND OUTSIDE AGENCIES

County staff may request time on the agenda to discuss a variety of items. Applicants, citizens, and other agencies may request time as well. You are encouraged to do some research and check with the Field Representative to determine the necessity, appropriateness, and timeline of the items placed on the agenda.

ITEMS NOT APPROPRIATE FOR MAC AGENDAS

The following items should not be discussed or placed on the MACs agenda for discussion:

- Campaign related information
- ❖ Federal or state legislation
- Superior court, municipal court or traffic court issues
- Disputes or claims against the county
- ❖ Family law issue

NOTE: If you are unsure about the appropriateness, please contact the Board of Supervisors' office for clarification.

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CONDUCTING A MEETING (follow Robert's Rules of Order)

Because each MAC represents its own unique community, it will establish its own meeting procedures. When setting up meeting procedures, it's important to keep the Council's goal in mind – to encourage public input on all issues it considers, to gather and convey public input, and provide advice to the Board of Supervisors.

It is the responsibility of the Chairman to direct the meeting. A Council meeting should not be any longer than 2 hours. Having time limits and maintaining productive dialog is imperative. We suggest the following guidelines be followed:

- 1. The Chair calls the meeting to order.
- 2. Welcome and introduction of MAC members should follow. Is there a quorum?
- 3. <u>LACK OF A QUORUM</u> If a MAC is unable to reach a quorum at a regular or special meeting, the MAC Chair may decide either to adjourn the meeting OR to hold an informal gathering to discuss any scheduled agenda items and committee reports.
 - a. In either case, the event would not be considered a MAC meeting and the secretary would not take regular minutes. Instead, the secretary should take informal notes for the MAC records, sending a copy to the Board office, indicating that the MAC did not form a quorum. They can either chose to adjourn or to continue with an informal gathering to discuss items of community interest. Of course, the MAC cannot take any action at this gathering.
- 4. The Chair then asks for a motion to approve the agenda, then the minutes. The secretary should note any changes to either one.
- 5. Any MAC member can make a motion to approve the agenda and the minutes. Another MAC member seconds the motion.
- 6. The Chair asks for any public comment, noting that the MAC cannot take any action on any item brought up that is not listed on the agenda.
- 7. The Chair should continue the agenda in order as listed.

HANDLING NEW TOPICS NOT ON THE AGENDA

Sometimes new topics are raised at a MAC meeting, which aren't on the agenda. The Brown Act requires that the MAC have an item listed on its agenda before it can take any action on it or even discuss the matter at any length. This is a matter of fairness so people interested in the subject, but who are not at the meeting, have notice that the MAC will consider it. If the new topic has enough public interest or concern, the MAC

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chair may add it to the agenda for the next meeting. If the item is especially timely, the MAC may decide to schedule a special meeting to consider the item and make a recommendation.

INFORMATION NON-ACTION ITEMS

The Chair invites the presenter to speak first; asks the public for any comments; then asks MAC members for any comments; The Chairman closes public comment and brings it back to the MAC for any ending remarks, suggestions or comments. Information items require that <u>NO FORMAL ACTION</u> be taken. Under Information items the MAC can request the following:

- That the presenter return at a later date to update the MAC on the status of the project, program, or issue
- That the Field Representative follow-up on an issue and update the MAC at a later date:
- That the item be placed on an upcoming MAC agenda as an action item; or
- That a recommendation letter be drafted, transcribed, and brought back to the MAC as an action Item for MAC recommendation.

MAKING A MOTION AND VOTING

The Board of Supervisors has asked the MACs to carefully consider and provide recommendations on local projects. It is important the MAC have complete information on any project before them. The MAC needs to know the status of a project in the County's planning process so recommendations aren't made too early or too late in the process. Projects often change and the MAC should make its recommendation when the project is about to go before a planning decision-making body.

Before making its recommendation, the MAC should carefully review final project environmental documents, county staff recommendations, and listen to presentations by the project applicants. Equally important, the MAC members must encourage full public discussion and avoid stating conclusions about a project before public discussion is complete. MAC members are then seen as objective and unbiased. The MAC must hear sufficient public comments and discussion to determine the public's thoughts on the topic.

ACTION ITEMS

The Chair invites the presenter to speak first; asks the public for any questions or comments; asks the MAC members for any questions or comments; closes public

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comments and brings the discussion back to the MAC for any further discussion, questions or comments.

The Chair indicates he/she will entertain a motion. Any MAC member can make a motion. It is highly recommended that you take a minute and write out your motion on a piece of paper and read it out loud. This written clarity allows the secretary and the audience to understand exactly what you intend to recommend. Any member can second the motion. If a motion is not seconded, then the motion dies. The Chair can repeat the process of obtaining a motion.

The MAC can make a motion to send a recommendation letter that:

- Either approves the project or denies the project;
- Approves a project with specific conditions;
- Denies the project due to specific outlined reasons;
- States the MAC does not want to take a position.
- To request that the presenter return at a later date to update the MAC on the status of the project, program or issue,
- That the Field Representative follow-up on an issue and update the MAC at a later date.
- That the project be placed on a MAC agenda as an action item at a later date.

MAKING NO RECOMMENDATION ON AN ITEM

In some cases, after hearing all available information on a project, a MAC may decide to make no recommendation on a project. If the MAC doesn't make a recommendation, however, they may comment that specific elements of the project should be considered, such as traffic or impacts on local water quality. The MAC would write a letter to the decision-making body with its comments, also indicating it has no recommendation on the entire project.

RECOMMENDATION LETTERS

Each time a MAC votes on a recommendation regarding a project or an issue, the Chair (with assistance from the Secretary) drafts a brief letter to the appropriate decision-making body summarizing the MAC's recommendation, including the motion. It is very important the MAC communicates promptly with the assigned Field Representative so the recommendations can be considered for submission to the appropriate body or the Board or the Supervisors may take action.

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The MAC exists to advise the Board of Supervisors, the MAC need to focus on community needs/requests. For example, if the community would like CalTrans to install a signal or stoplight at an intersection on a state highway, the MAC would write the Board of Supervisors with the request. They may send copies of the letter to other county agencies (i.e.: Public Works,) or non-county agencies, (i.e.: West Valley Water District) The MAC should always copy the Board of Supervisors' office on all correspondence, regardless of the letter's addressee.

HANDLING CONTROVERSIAL ISSUES

The MAC may occasionally consider an issue of great local concern, often a land use issue. Public discussion can become heated. In situations like this, it's important the MAC Chair act from the outset to keep the discussion courteous and orderly.

MEETING PRESENTERS

It is useful to remember presenters will have a wide range of presentation skills. Some may not have practice speaking before large groups and may need some encouragement from the MAC to proceed. The MAC will provide the most useful advice to the Board of Supervisors if it encourages maximum public participation in its discussions.

People presenting information to the MAC may represent a range of perspectives, such as Community or homeowners' associations; elected officials; county or city departments; Project applicants or representatives; or staff from non-county agencies.

Often a MAC will want to discuss a topic of interest or concern. The best presenter would be with a non-county agency or business, like the Placer County Water Agency, CalTrans or the San Bernardino County Transportation or Planning Department. The Field Representative assigned to your MAC will identify the right agency to address the topic and arrange for a date to make the presentation.

SPECIAL MEETINGS

Occasionally, the MAC must meet at a different time or location other than its regularly scheduled meeting time or place. This may be because the MAC may expects a large audience to hear a particular agenda item or because they must discuss an item in time to meet a deadline for the Board of Supervisors or the Planning Commission, or for another reason.

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The Chair or the Secretary should distribute the special meeting agenda a week before that meeting. However; if that's not possible, they need to post the special agenda in the usual public places at least 72 hours before the meeting to meet the requirements of the Brown Act, California's open meeting statute.

Special MAC meetings are fairly rare. Also, if the Chair reviews the mail weekly and talks regularly with the Field Representative and/or Secretary for the MAC's area, it's most likely there will be time to post a special meeting agenda to meet all Brown Act deadlines.

CANCELED MEETINGS

Occasionally, the MAC Chair may decide to cancel a regularly scheduled meeting. The chair usually does this after examining the mail, talking with the Field Representative and determining the MAC has no timely matters to consider. As MAC members are all volunteers, an occasional break is reasonable, especially during the winter holiday months. There may be rare occasions when the MAC Chair learns there will not be a quorum of MAC members available for an upcoming meeting. That is also a good reason to cancel a meeting or to reschedule a meeting, if there are pressing matters the MAC should discuss.

THE MEDIA AND MEETING PROMOTION MEDIA

Media promotion and coverage of MAC meetings varies widely. Some newspapers include MAC meetings in their community calendar listings and others don't. Some MAC members have written letters to the editor or guest columns on important community issues to raise local awareness of the MAC and its activities.

COUNTY WEB SITE

Because the MAC is an advisory body to the Board of Supervisors, created by the Board of Supervisors, it may be appropriate that information about the MAC appear on the Fifth District Web site. This is where members of the public would most likely seek MAC information

The County reserves the right to issue corrections, revisions and/or amendments to this Handbook as needed or necessary.

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The MAC Handbook was created to help you understand the purpose of the MAC, your role as a MAC member, and how to go about getting the information you need to make responsive recommendations. Your participation is important and we hope you enjoy being a key participant helping to enhance San Bernardino County's future.

I have read this handbook and understand my responsibility as a Council Member.
Print Name
Signature
Member of (Bloomington, Muscoy or North Rialto) - CIRCLE ONE
Date

Please complete this and give to your assigned Field Representative at next scheduled MAC meeting.

Thank you!



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